

**WELSH LANGUAGE STANDARDS: ANNUAL REPORT 2021-22**

**LEADER (COUNCILLOR HUW THOMAS)**

**AGENDA ITEM: 6**

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**Reason for this Report**

1. To agree and approve the content of the Welsh Language Standards Annual Report 2021-22, prior to formal publication in accordance with the Welsh Language Standards, under the Welsh Language (Wales) Measure 2011.

**Background – Welsh language standards Annual Report 2021-22**

2. Local authorities in Wales have a statutory duty to comply with Welsh Language Standards Regulations that explain how they as organisations must use the Welsh language in different situations. The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties on certain organisations to comply with standards in relation to the Welsh language by way of sub-legislation (Welsh Language Regulation (No.1 Standards 2015).
3. The standards issued to Cardiff Council are listed in 'The Cardiff Council *Compliance Notice – Section 44 Welsh Language (Wales) Measure 2011*. A copy of the standards, which is referred to in this report, is available from:

[www.cardiff.gov.uk/bilingualcardiff](http://www.cardiff.gov.uk/bilingualcardiff)

4.

**The principal aim of the legislation (standards) is to ensure that the Welsh language is treated no less favourably than the English language with the emphasis on actively offering and recording language choice rather than the onus being on the individual service user or employee to request information or services in Welsh.**

5. The Welsh Language Standards have been drafted with the aim of:
  - improving the services Welsh-speakers can expect to receive from organisations in Welsh;

- increasing the use people make of Welsh-language services;
  - making it clear to organisations what they need to do in terms of the Welsh language; and
  - ensuring that there is an appropriate degree of consistency in terms of the duties placed on organisations in the same sectors.
6. Each local authority was issued with a compliance notice from the Welsh Language Commissioner in September 2015, which lists the standards and compliance date which the organisation is expected to comply with. Cardiff Council was issued with **171 standards**.
7. The Council has a statutory duty to comply with the Welsh Language Standards, which includes the requirement to produce an annual report on compliance with these standards.
8. Each local authority is required to publish each year an annual report detailing the following information.

<b>Complaints</b>
The number of complaints received during that financial year relating to compliance with the Welsh language standards.
<b>Employees' Welsh language skills</b>
The number of employees who have Welsh language skills at the end of the financial year in question.
<b>Welsh-Medium Training</b>
<ul style="list-style-type: none"> <li>➤ The number of members of staff who attended training courses offered in Welsh during the year.</li> <li>➤ If a Welsh version of a course was offered by you during that year, the percentage of the total number of staff attending the course who attended the Welsh version.</li> </ul>
<b>Posts Advertised</b>
<p>The number of new and vacant posts that were advertised during the year which were categorised as posts where:</p> <ul style="list-style-type: none"> <li>• Welsh language skills were essential;</li> <li>• Welsh language skills needed to be learnt when appointed to the post;</li> <li>• Welsh language skills were desirable, or</li> <li>• Welsh language skills were not necessary.</li> </ul>

9. The Welsh Language Commissioner can investigate a failure to comply with the Welsh Language Standards, and can take enforcement action, including imposing a civil penalty, requiring an action plan to remedy the breach or publicising the breach.
10. The statutory publishing deadline for the Annual Report on the Welsh Language Standards 2021/22 is **30 June 2022**. As its presentation has been delayed until the **14 July 2022** Cabinet a draft version of the Report has been published on the Cardiff Council website with a disclaimer that the final, approved report will be published as soon as possible.

### **Background – Bilingual Cardiff Strategy 2017-22 & 2022-27**

11. Standard 146 requires the Council to conduct a review to assess the extent to which the targets and actions presented by the Bilingual Cardiff Strategy to promote the Welsh language have been met five years after its first publication.
12. The first Bilingual Cardiff Strategy was launched in 2017 and an independent review of its implementation was conducted by Nico in 2021/22. This review confirmed that Cardiff Council had met the requirement of Standards 145 and 146 and Nico's final report is included as **Appendix 1**.
13. Standard 145 of the Welsh Language Standards (No.1) Regulations 2015 requires the Council to review its Welsh language promotion strategy and publish a revision within 5 years of the previous strategy's publication.

Welsh Language Standard 145 states:

**You must produce, and publish on your website, a 5-year strategy that sets out how you propose to promote the Welsh language and to facilitate the use of the Welsh language more widely in your area; and the strategy must include (amongst other matters) (a) a target (in terms of the percentage of speakers in your area) for increasing or maintaining the number of Welsh speakers in your area by the end of the 5 year period concerned, and (b) a statement setting out how you intend to reach that target; and you must review the strategy and publish a revised version on your website within 5 years of publishing a strategy (or of publishing a revised strategy).**

14. The Bilingual Cardiff Strategy 2022-27 has been revised to follow the structure of Cymraeg 2050 – the Welsh Government's action plan for a million Welsh speakers by 2050. As a result, Cymraeg 2050's three themes and associated areas of work have been adopted and all action in the action plan will support one of these themes. They are:
  - Increase the number of Welsh speakers
  - Increase the use of Welsh
  - Creating favourable conditions – infrastructure and context

15. The Bilingual Cardiff Strategy 2022-27 has also been prepared in conjunction with the Council's Welsh in Education Strategic Plan 2022-32. Many of the Strategy's actions support WESP objectives and this relationship has been noted in the action plan.
16. It is a statutory duty under standard 145 to include a target in the Bilingual Cardiff Strategy 2022-27 to increase the number of Welsh speakers in Cardiff by the end of the 5-year-period. In order for Cardiff to play its part in supporting the Welsh Government's vision of a million Welsh speakers by 2050, we will need to see a percentage increase of 7.73% in the number of Welsh speakers (aged 3+) in Cardiff between 2022 and 2027. This represents increasing the number of Welsh speakers in Cardiff by 3,342 between 2022 (43,223) and 2027 (46,565). This target has been included in the Bilingual Cardiff Strategy.
17. The methodology used for this target was to apply the annual percentage increase required in Cardiff to support the achievement of a million Welsh speakers in Wales by 2050 (from the 562,016 reported in the 2011 Census). This equates as annual increase of 1.5% in the number of Welsh speakers in Cardiff.
18. This is a strategy for the city as a whole, not for any one organisation. Delivering the strategy relies on partnership working between public sector partners; between the public, private and education sectors; as well as the citizens of Cardiff.
19. The Bilingual Cardiff Strategy 2022-27 is attached as **Appendix 2**. It was agreed by Cardiff Council on 3 March 2022.

### **Nico's Review of the 2017-22 Bilingual Cardiff Strategy**

20. Nico was commissioned to conduct an independent review of the implementation of the 2017-22 Bilingual Cardiff Strategy in 2021/22. Conducting such a review is a requirement in accordance with Welsh Language Standard 146 and the final report was approved by Full Council alongside the 2022-27 Bilingual Cardiff Strategy on 3 March 2022.
21. This review confirmed Cardiff Council had met the requirements of Welsh Language Standards 145 and 146 by the inclusion of a specific target to increase the number of Welsh speakers in Cardiff to support the Welsh Government Cymraeg 2050 strategy and the conduct of the review itself to ascertain the impact of the interventions resulting from the 2017-22 Bilingual Cardiff Strategy.
22. Nico also identified a number of the 2017-22 Bilingual Cardiff Strategy's strengths and the platform this provided for the implementation of the 2022-27 Bilingual Cardiff Strategy:
  - Establishment of the Bilingual Cardiff Forum to facilitate partnership working with Cardiff based and national organisations.

- Promotion of a consultative method of engagement with the Forum partners.
  - The Council's work to strengthen and promote the status of the Welsh language.
  - Development of the Forum sub-groups to support the development of the 2022-27 Bilingual Cardiff Strategy and its implementation over the next 5-year period.
23. Nico also presented a number of recommendations for the 2022-27 Bilingual Cardiff Strategy as part of the review. All recommendations have been accepted and actioned by Cardiff Council. Please see **pages 6-9** of the **2021/22 Annual Report on the Welsh Language Standards** for further details of the 6 recommendations received and actions taken to date.

### **Annual Report on the Welsh Language Standards 2021/22 – Summary of Achievements**

24. With the inclusion of the **Introduction to Welsh Level 1 e-module**, a total of **1086** Cardiff Council staff participated in Welsh language training courses in 2021/22. This represents a **522%** increase in comparison with 2020/21.
25. **250** Cardiff Council staff members attended formal Welsh language courses provided by Cardiff Academy and the Working Welsh initiative, a **49%** increase in comparison with 2020/21.
26. Cardiff Council's Welsh Language Awareness e-module was completed by **990** staff members in 2021/22.
27. The number of Cardiff Council staff with Welsh language skills has increased by another **8.6%** since 2020-21 and represents **17.25%** of the workforce registered on the Council's DigiGOV HR system.
28. **657** pupils were allocated Reception places at Welsh-medium primary schools for September 2021, which made up **17.3%** of the total intake across the city.
29. Bilingual Cardiff translated a record **14,550,626 words** during 2021-22 (**99.9%** of all requests returned to the client by the agreed deadline date). This represents an increase of 25% compared to 2020-21.
30. The Council advertised **67** posts where Welsh language skills were an essential requirement and a further **648** posts where Welsh was desirable. The number of advertised Welsh essential and desirable posts represent a **158%** and a **108%** increase respectively in comparison with 2020/21.

## **Financial Implications**

31. The Annual Report sets out the Council's performance in accordance with the Welsh Language Standards and is also accompanied by an Action Plan setting. Consideration should be given to the financial resources required to implementing the actions and be satisfied that these can be done within the existing budgetary allocation and that the funding source is identified prior to implementation.

## **Legal Implications**

32. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language and the report deals with all these obligations.

## **Equality Duty**

33. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). This means the Council must give due regard to the need to
  - (1) eliminate unlawful discrimination,
  - (2) advance equality of opportunity and
  - (3) foster good relations on the basis of protected characteristics.
34. The protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.
35. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010).
36. In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers ([WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](#)) and must be able to demonstrate how it has discharged its duty.

## **Well-being of Future Generations (Wales) Act 2015 - Standard legal imps**

37. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

38. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2021-24. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives
39. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

### **HR Implications**

40. The Welsh Language Standards Annual Report includes compliance with those standards that relate to the Council's role as an employer. Many of the initiatives which are highlighted in the report will continue and be reinforced. The specifics include:
- continuing with weekly informal sessions to give Welsh speakers opportunities to meet and practice;
  - ensuring continued training provision to increase the numbers of Welsh language speakers across the Council in line with the Council's Workforce Strategy and Welsh Language Skills Strategy;

- the provision of Welsh language training at all levels for all employees;
- the provision of other training such as First Aid and Health and Safety courses in Welsh;
- promoting job opportunities to groups proficient in the Welsh language;
- services to continue to review and enhance their Welsh language offer by increasing the number of Welsh essential posts; and
- ensuring that the number of posts which have Welsh language as an essential or desirable criteria continue to increase.

### **Property Implications**

41. There are no specific property implications arising from this report. All Strategic Estates staff may access training and are supported to use their Welsh language skills when communicating with the public as appropriate.
42. The Strategic Estates impact operationally is mainly around the communication of surplus and disposal of assets, where certain documents and use of any form of external communication require translation and this will also apply to appointed advisers, such as property agents, acting on behalf of the Council.
43. The translation of internal documentation and publications will continue as per the existing regulations and staff have received further instruction and guidance during the year, on where this is required and how the correct processes needs to be followed.

### **RECOMMENDATIONS**

Cabinet is recommended to recommend that Council approve the Welsh Language Standards Annual Report 2021-22 (attached as **Appendix A**) prior to formal publication in accordance with the Welsh Language Standards (Welsh Language (Wales) Measure 2011).

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>SARAH MCGILL</b> <b>Corporate Director People &amp; Communities</b>
	8 July 2022

*The following appendices are attached:*

<b>Appendix A</b>	Welsh Language Standards Annual Report 2021-22
<b>Appendix 1</b>	Nico's Review of the 2017-22 Bilingual Cardiff Strategy
<b>Appendix 2</b>	2022-27 Bilingual Cardiff Strategy